



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,372	09/24/2003	Roderick B. Jagos	024.0038	1857

29906 7590 05/20/2005

INGRASSIA FISHER & LORENZ, P.C.  
7150 E. CAMELBACK, STE. 325  
SCOTTSDALE, AZ 85251

EXAMINER
----------

ADAMS, GREGORY W

ART UNIT	PAPER NUMBER
----------	--------------

3652

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/671,372

Applicant(s)

JAGOS, RODERICK B. ET AL

Examiner

Gregory W. Adams

Art Unit

3652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 6 IS objected to because of the following informalities: the limitation "the first cradle assembly" in line 1 lacks sufficient antecedent basis. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 9 & 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to claim 1, line 1, the language "for" may render the claim indefinite as it is unclear whether the features subsequent to the "can be" language are a necessary part of the claimed invention. Applicant must positively recite the features of the claimed invention, i.e. --A rocket engine transport--. Examiner thus recommends eliminating all instances of "for" from the claim language.

Claim 9 recites the limitation "the transport" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites "moving a tail support member". It is unclear how this accomplished from the specification. What mechanism which facilitates or causes this movement?

### ***Claim Rejections - 35 USC § 102***

Art Unit: 3652

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Morley et al (US 3,038,614).

With regard to claims 1 & 15, Morley et al. disclose a transport comprising a trailer 10 tail support member 13, 14 having a notch for a pin 68, and a chock assembly 12 which has a chock 16, 17 pivotably coupled to a trolley 11, 23, 24.

With regard to claim 2, Morley et al. disclose a chock assembly 12 further comprising a bearing assembly 57, 58 coupling a chock 16, 17 to a trolley 11, 23, 24.

With regard to claim 3, Morley et al. disclose a chock assembly 12 further comprising a support bracket 12'.

With regard to claim 4, Morley et al. disclose a support bracket 12' is a trunnion 21, 22.

With regard to claim 5, Morley et al. disclose a chock assembly 12 comprising a second bearing assembly 57, 58 and a second cradle assembly 16, 17 having a second trunnion 21, 22.

With regard to claim 6, Morley et al. disclose a transport 10 further comprising a shaft connecting a first cradle 16, 17 to a second cradle 16, 17.

With regard to claim 7, Morley et al. disclose a transport 10 comprising a trailer 10 having a track 25, 26, and a tail support member 13, 14 having a notch for a pin 68,

Art Unit: 3652

a chock assembly 12 comprising a chock 16, 17, trolley 11, 23, 24 a pair of bearing assemblies 57, 58 and a pair of cradle assemblies 16, 17, wherein each cradle assembly comprises a support bracket 12' coupled to a chock 16, 17 and a trunnion 21, 22.

With regard to claim 8, Morley et al. disclose a chock assembly 12 comprising a trolley 11, 23, 24 chock 16, 17 and a hinge 57, 58.

With regard to claim 9, Morley et al. disclose a trolley 11, 23, 24 interacts with a transport 10.

With regard to claim 10, Morley et al. disclose a hinge 57, 58 comprising a bearing 57, 58 coupling a chock 16, 17 to a trolley 11, 23, 24.

With regard to claim 11, Morley et al. disclose a chock assembly 12 further comprising a cradle 16, 17 comprising a support bracket 12' coupled to a chock 16, 17 and having a trunnion 21, 22.

With regard to claim 12, Morley et al. disclose a chock assembly 12 further comprising a second bearing assembly 57, 58, second cradle assembly 16, 17 coupled to a chock 16, 17 and having a second trunnion 21, 22, and a shaft.

With regard to claim 13, Morley et al. disclose a chock assembly 12 comprising a trolley portion 11, 23, 24, chock 16, 17, having a curved portion hinge portion 57, 58 having a bearing assembly 57, 58.

With regard to claim 14, Morley et al. disclose a chock assembly 12 further comprising a cradle assembly 16, 17 comprising a support bracket 12', coupled to a chock 16, 17 and having a trunnion 21, 22.

Art Unit: 3652

With regard to claim 16, 17, Morley et al. disclose a trailer 10 having a track 25, 26, tail support member 13, 14, having a notch, for a pin 68, chock assembly 12 comprising a chock 16, 17, trolley 11, 23, 24, a pair of bearing assemblies 57, 58 and a pair of cradle assemblies 16, 17, each cradle assembly comprising a support bracket 12' coupled to a chock 16, 17, and having a trunnion 21, 22.

With regard to claim 17, Morley et al. disclose a chock assembly 12 comprising a trolley 11, 23, 24, chock 16, 17 having a support portion 16, 17 and a hinge 57, 58 having a bearing assembly 57, 58.

With regard to claim 18-20, Morley et al. disclose a method of elevating a rocket engine lifting a forward end, pivoting a rocket engine in a chock 12 until a pin 68 engages a tail support member 13, 14, rotating a rocket engine about a pin 68, moving a chock 12 along a transport 10, and moving a tail support member 13, 14 along a transport axis 10.

With regard to claim 21, Morley et al. disclose a transport 10 comprising means for supporting a rocket 12, means for allowing a rocket engine to rotate about a pin 13, 14, and means for pivoting a support means 57, 58.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,924,648 to Ellinthorpe

US 3,262,664 to Paraskewik

US 6,106,209 to Krenek

US 6,170,141 to Rossway et al.

Art Unit: 3652

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory W. Adams whose telephone number is (571) 272-8101. The examiner can normally be reached on M-Th, 8:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on (571) 272-6928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GWA

  
EILEEN D. LILLIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600